

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE:

W.R. Grace & Co., *et al.*,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)  
Jointly Administered

Ref. No. 13938

**FIFTH AMENDED AND RESTATED VERIFIED STATEMENT  
IN CONNECTION WITH THE REPRESENTATION OF CREDITORS AS  
REQUIRED BY FED. R. BANKR. P. 2019**

Daniel C. Cohn, on behalf of Cohn Whitesell & Goldberg LLP (“CWG”), and Adam G. Landis, on behalf of Landis Rath & Cobb LLP (“LRC”), as attorneys for the claimants injured by exposure to asbestos from the Debtors’ operations in and near Libby, Montana identified in the exhibits referred to in paragraph 8 below (the “Libby Claimants”), make the following statement:

1. This Fifth Amended and Restated Verified Statement is filed in accordance with Fed. R. Bankr. 2019 and in accordance with that certain Revised Order Requiring Filing of Statements Pursuant to Fed. R. Bankr. P. 2019 dated October 22, 2004 [Docket No. 6715], as it has been supplemented by the Supplement to Revised Order Requiring Filing of Statements Pursuant to Fed. R. Bankr. P. 2019 (the “2019 Order”).

2. CWG and LRC are counsel for the Libby Claimants in the above-captioned cases.

3. CWG was engaged as co-counsel by the Libby Claimants’ personal injury counsel, McGarvey, Heberling, Sullivan & McGarvey, P.C. (“MHSM”) of Kalispell, Montana, and Lewis, Slovak & Kovacich, P.C. (“LSK”) of Great Falls, Montana (collectively, “Montana Counsel”), to provide services related to the Debtors’ cases on behalf of all of their respective clients having claims against the Debtors. In turn, CWG engaged LRC to serve as Delaware counsel. CWG and LRC will also represent any future clients of Montana Counsel who hold personal injury claims against the Debtors.

4. LRC also is counsel to the VanCott Bagley Cornwall & McCarthy 401(K) Profit Sharing Plan ("VanCott"). VanCott is a creditor in these Chapter 11 cases, seeking an order permitting them to file late claims relating to a parcel of real property located in Salt Lake City, Utah.

5. LRC also is Delaware counsel to Campbell-Cherry-Harrison-Davis-Dove, P.C. ("Campbell Cherry"), counsel to certain asbestos claimants who objected to the Debtors' request to respond to a lengthy questionnaire. The Libby Claimants, VanCott and Campbell Cherry are hereinafter collectively referred to as, the "Clients."

6. LRC has advised the Clients with respect to concurrent representations described herein. The Clients each have (a) consented to such representation and (b) requested that LRC represent them in this case.

7. CWG and LRC do not possess any claims against or interests in the Debtors.

8. In accordance with the provisions of the 2019 Order, separate exhibits for the MHSM and LSK firms, containing the information required by the 2019 Order, have been submitted to the Clerk of this Court but have not been electronically filed.

Dated: May 18, 2007  
Wilmington, Delaware

LANDIS RATH & COBB LLP



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